

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 17-cr-20733
Hon. Matthew F. Leitman

RONNIE EDWARD DUKE,

Defendant.

/

ORDER GRANTING MOTION FOR EXTENSION OF TIME (ECF No. 168)

On December 7, 2021, Defendant Ronnie Edward Duke pleaded guilty in this Court to one count of Wire Fraud Affecting a Financial Institution, in violation of 18 U.S.C. § 1343, and one count of Aggravated Identity Theft, in violation of 18 U.S.C. § 1028A(a)(1). (*See* Rule 11 Plea Agmt., ECF No. 121.) The Court imposed sentence on Duke on June 29, 2022. (*See* Judgment, ECF No. 137; Am. Judgment, ECF No. 148.)

On June 27, 2023, Duke filed (1) a motion to vacate his sentence pursuant to 28 U.S.C. § 2255 (*see* Mot., ECF No. 152) and (2) a supporting memorandum of law of 47 pages, excluding exhibits, which is nearly twice the size allowed under the Court's local rules. (*See* Memo. of Law, *id.*) Then, on September 26, 2023, Duke filed an addendum that included an additional 42 pages of legal argument and over 120 pages of additional exhibits. (*See* Addendum, ECF No. 158.)

On October 26, 2023, the Court struck Duke's oversized memorandum of law and his addendum, but it did not strike his initial motion to vacate his sentence. (*See* Order, ECF No. 161.) That motion remains pending. In the Court's October 26 order, it directed Duke to file a single, consolidated legal memorandum in support of his motion to vacate of no more than 50 pages by no later than January 29, 2024. (*See* Order, ECF No. 161.) The Court later extended the time for Duke to file his memorandum of law until May 31, 2024. (*See* Order, ECF No. 167.)

Now before the Court is Duke's second motion for an extension of time. (*See* Mot., ECF No. 168.) In that motion, Duke asks for an additional 30 days "to file under 28 U.S.C. § 2255" because of difficulties he's experienced obtaining legal copies and other documents. (*Id.*)

The Court **GRANTS** Duke's motion. The Court acknowledges the difficulties that Duke may face in preparing his memorandum of law due to his incarceration. Thus, it will grant him twice the amount of additional time that he asked for in his motion. Accordingly, Duke shall file his memorandum of law by no later than **July 31, 2024**. The Government shall file its response by no later than **October 31, 2024**. The Court reminds Duke that, as the Court explained in its prior order (*see* Order, ECF No. 161), Duke need not file a new motion to vacate his sentence. Instead, Duke shall file a **single, consolidated** legal memorandum in support of his currently-pending motion to vacate that does not exceed **50 pages** (not

including exhibits). If Duke files a memorandum longer than 50 pages, the Court will strike it from the record.¹

IT IS SO ORDERED.

s/Matthew F. Leitman

MATTHEW F. LEITMAN

UNITED STATES DISTRICT JUDGE

Dated: June 11, 2024

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on June 11, 2024, by electronic means and/or ordinary mail.

s/Holly A. Ryan

Case Manager

(313) 234-5126

¹ Because the Court is allowing Duke to file a consolidated memorandum of law in support of his motion to vacate, the Court will **TERMINATE AS MOOT** Duke's pending request to amend his motion to vacate (ECF No. 156).